

Remarks

Claim 13 has been objected to because of an informality, which is now corrected.

Claim 29 has been rejected under 35 U.S.C. §112, second paragraph, because of a lack of antecedence, which is now corrected.

Claims 2-3, 6, 10, 16-17, and 24 are canceled. New claims 30-31 are added.

Claims 1-5, 7, 9-11, 15-19, 21, and 23-25 have been rejected under 35 U.S.C. §102(b) as being anticipated by Mutter, U.S. Patent No. 6,341,620 ("Mutter").

Claims 12-14 and 26-28 have been rejected under 35 U.S.C. §102(b) as being anticipated by Roach, U.S. Patent No. 55,784 ("Roach").

Claims 1-3, 6, and 20 have been rejected under 35 U.S.C. §102(b) as being anticipated by Fackler, U.S. Patent No. 4,203,545 ("Fackler").

Claim 8 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Mutter in view of Luckett, U.S. Patent No. 6,112,368 ("Luckett").

In light of the amendment of the claims as presented above and the remarks that follow, withdrawal of all of the §102(b) and §103(a) rejections is respectfully requested.

Claim 29 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. §112, second paragraph. In light of the amendment of claim 29 presented above, withdrawal of the §112, second paragraph, rejection of this claim is respectfully requested.

Independent claim 1, as currently amended, is directed to a temperature compensation valve whose orifice is varied to allow for a substantially constant, defined gas flow rate with fluctuations in temperature. Similarly, independent claim 15, as currently amended, is directed to a pneumatic control system that includes a temperature compensation valve whose orifice is varied to allow for a substantially constant, defined gas flow rate with fluctuations in temperature. This characterization of the temperature compensation valve is fully supported at page 4, lines 17-23, and page 6, line 24, to page 7, line 8, of the instant specification.

In the Office Action, it was asserted that Mutter teaches, at column 1, lines 55-60, column 2, lines 1-20, and column 3, lines 50-60, a means for varying orifice size to allow for a defined flow rate with fluctuations in temperature. In fact, Mutter in all of these cited instances teaches a pressure limiting valve that is useful for applications such as limiting the pressure of natural gas at gas filling stations within a safe range (cf. column 1, lines 7-44 and column 3, lines 27-30).

Also in the Office Action, it was asserted that Fackler teaches, at column 3, lines 1-20, teaches an orifice and a piston for varying the size of the orifice based on temperature. However the assembly of Fackler includes, in addition to a valve comprising a member and a seat for controlling the flow of fluid through a passage, a bypass channel that is produced by thermostatic actuation of a piston and allows fluid to circumvent the valve (column 3, lines 9-56). This operation of the valve assembly of Fackler bears no resemblance to the functioning of the temperature compensation valve of the present invention.

Instant claims 12-14 and 26-28 are directed to a position measurement rod. It was asserted in the Office Action that the rod of handle K of Roach constitutes such a measuring rod. The stop cock of Roach does not appear to include a piston. Whether it does or not, the reference clearly does not anticipate the temperature compensation valve of the present invention.


Luckett was cited in combination with Mutter in the §103(a) rejection of claim 8. The disclosure of Luckett, however, fails to overcome the substantial deficiencies of Mutter in teaching the present invention.

Conclusion

Claims 1, 4-5, 7-9, 11-15, 18-23, and 25-31 are now in this case. Applicants believe that these claims are all in condition for allowance, and their prompt allowance is respectfully requested. Should the Examiner feel that any unresolved issues remain in this case, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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